

Remarks

Claims 1-51 are pending in this application. Claims 27-50 are withdrawn from consideration. Claim 51 stands allowed. Claims 1-26 stand rejected. Claims 1-26 stand objected to. Applicants are canceling claims 17-20 without prejudice. Applicants are amending claims 1, 15, 16, 24, and 25. Applicants respectfully request the Examiner to reconsider claims 1-16 and 21-26 of the above identified application in view of the following amendments and remarks on their merits and to pass claims 1-16 and 21-26 on to allowance at this time, along with previously allowed claim 51.

RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

The Examiner has Restricted the claims to the following groups:

- I. Claims 1-26 and 51, drawn to a catalyst composition, classified in class 502, subclass 108;
- II. Claims 27-50, drawn to a polymerization process, classified in class 526, subclass 170.

The applicants are electing Group I (claims 1-26 and 51) and withdrawing claims 27-50 from consideration. Applicants further request that, in the event that the Group I claims are found to be allowable, the Examiner rejoin the Group II claims with the Group I claims.

During a telephone conversation between the Examiner and the agent for the applicants, Richard Clikeman, (June 12, 2003) the above election of Group I had been made provisionally. Agent for the applicants also elected species for Group I (claims 1-16, 18, 21-26). Those elected species were:

- (i) divinylbenzene polymers;
- (ii) bis(cyclopentadienyl)zirconium methyl hydride; and
- (ii) siloxanes.

The Examiner has noted that siloxanes and divinylbenzene polymers both are species of olefin based material, and, since "divinylbenzene polymers" appears in the claims prior to "siloxane", the Examiner has treated the election of species as though divinylbenzene is the elected species. Examiner has required affirmation of this election by Applicants. Applicants hereby affirm election of species: (i) divinylbenzene polymer and (ii) bis(cyclopentadienyl)zirconium methylhydride.

The Claimed Invention

The present invention relates to a catalyst composition comprising a hydrozirconated matrix, wherein the hydrozirconated matrix comprises at least one zirconium component chemically bonded to the matrix through a hydrocarbon group derived from reacting a zirconium compound with a covalently bound olefin group of an olefin-based material.

Support for Amendments

Specification: The amendment of the paragraph beginning at page 4, line 10 in the original specification at line 15 is a matter of clarification not requiring further support in the specification.

Claim 1: Full support for the amendment to claim 1 is found at: page 3, line 30 to page 5 line 31; page 18, line 1 to page 19, line 6; and page 13, line 29 to page 15, line 14.

Claim 15: The amendment to claim 15 is a matter of form and, as such, does not require further support in the specification.

Claim 16: The amendment to claim 16 is fully supported by original claim 1.

Claim 24: The amendment to claim 24 is a matter of clarification not requiring further support in the specification.

Claim 25: The amendment to claim 25 is a matter of clarification not requiring further support in the specification.

Objection to the Specification

The Examiner has objected to the specification at page 4, line 15, requiring that "covalently bound olefin groups and inorganic solids" be changed to "covalently bound olefin groups or inorganic solids". Applicants have made the requested change by amendment.

Response to Rejection under 35 U.S.C. § 112

Applicants have amended claims 1, 15, 16, 24, and 25. Applicants have further canceled without prejudice claims 17-20. Applicants respectively submit that the amendments and cancellations just enumerated render moot the Examiner's rejections of, and objections to claims 1-16 and 21-26.

Applicants respectfully request the Examiner to reconsider claims 1-16 and 21-26 in view of the amendments and remarks on their merits, and to pass claims 1-16 and 21-26 on to allowance at this time, along with previously allowed claim 51.

Conclusions

The Applicants have:

- (a) elected Group I (claims 1-26 and 51);
- (b) elected species (i) divinylbenzene polymers and
(ii) bis(cyclopentadienyl)zirconium methyl hydride ;
- (c) canceled without prejudice claims 17-20;
- (d) amended the specification at page 4, line 15; and
- (e) amended claims 1, 15, 16, 24, and 25.

The Applicants request the Examiner to:

- (a) withdraw claims 27-50 from consideration;
- (b) cancel without prejudice claims 17-20;
- (c) enter the amendment to the specification at page 4, line 15;
- (d) enter the amendments to claims 1, 15, 16, 24, and 25;
- (e) pass claims 1-16 and 21-26 on to allowance, along with previously allowed claim 51; and
- (f) upon allowance of Group I claims, rejoin Group II claims with Group I claims.

Respectfully submitted,



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